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IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

UNITED STATES of AMERICA for the Use
and Benefit of WEBCOR CONSTRUCTION,
INC. dba WEBCOR BUILDERS, and
WEBCOR CONSTRUCTION, INC. dba
WEBCOR BUILDERS,

Plaintiffs,

vs.

DICK/MORGANTI, a joint venture; DICK
CORPORATION; THE MORGANTI GROUP;
AMERICAN CASUALTY COMPANY OF
READING, PA; NATIONAL UNION FIRE
INSURANCE COMPANY OF PITTSBURGH,
PA, and DOES 1 through 10, inclusive,

Defendants.

AMERICAN CASUALTY COMPANY OF
READING, PA; NATIONAL UNION FIRE
INSURANCE COMPANY OF PITTSBURGH,
PA,

Third Party Plaintiffs,

CIVIL ACTION NO.: 3:07-CV-02564-CRB

DECLARATION OF ROGER P. HEYMAN IN
SUPPORT OF ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES SHOULD BE
RELATED (*CIVIL L.R.* 3-12(b))

JUDGE: Hon. Charles R. Breyer, Courtroom 8

1 vs.

2 BOYETT CONSTRUCTION, INC., a California
3 corporation; MARELICH MECHANICAL CO.,
4 INC., a California corporation;
5 PERFORMANCE CONTRACTING GROUP,
6 INC., dba PERFORMANCE CONTRACTING,
7 INC., a Delaware corporation;
8 PERMASTEELISA GROUP USA HOLDINGS
9 CORP., a Delaware corporation fdba
10 PERMASTEELISA CLADDING
11 TECHNOLOGIES, LTD.; PERMASTEELISA
12 CLADDING TECHNOLOGIES L.P., a
13 Delaware limited partnership, fbda
14 PERMASTEELISA CLADDING
15 TECHNOLOGIES, LTD.; ROSENDIN
16 ELECTRIC, INC., a California corporation;
17 THIRD PARTY DOE DEFENDANTS 1
18 THROUGH 20,

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Third Party Defendants.

1 I, Roger P. Heyman, declare:

2 1. I am an attorney licensed to practice in the State of California and in the United States
3 District Court for the Northern District of California. I am the attorney for PCT, the plaintiff and use
4 plaintiff in Case No. CV08-3664-JCS, filed July 30, 2008.

5 2. The facts and other matters recited in the Administrative Motion to Consider Whether
6 Cases Should Be Related, are based upon my own activities in the preparation of the July 30, 2008
7 case and my review of the dockets and pleadings in the above-entitled action.

8 3. I am submitting this Declaration, rather than a stipulation, because of the number of
9 parties involved, some of whom are unknown to me, and because an Administrative Motion to
10 Relate was requested by the Court in this case.

11 4. Given the Court's familiarity with and ready access to its own dockets, I believe that
12 the Court can determine this Motion on the basis of the information presented without the delay
13 inevitably involved in seeking a stipulation from all of the parties in the various matters.

14 I declare under penalty of perjury under the laws of the State of California that the foregoing
15 is true and correct.

16 Executed this 7th day of August , 2008 in Woodland Hills, California.

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Roger P. Heyman, Declarant